

September 2, 2020

The Trustees of the Village of Malcolm met on Wednesday, September 2, 2020 at 6:30 p.m. in open session at the Village Hall located at 137 East 2<sup>nd</sup> Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the August 20, 2020 "Clipper" and posted on the Village Website and at the Village Hall on Monday, August 31, 2020.

#### ROLL CALL

Rohe, Hicken, Kopecky, Schweitzer, Little

Absent: None

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

Rohe opened the **Public Hearing** for the Budget Summary and to Set Final Tax Request at 6:30 p.m. Carmen Standley with Marvin Jewell & Co. discussed with the Board the 2020-2021 Budget documents with the Actual Numbers and Projected Numbers. With no other comments or concerns from the Board or Visitors, Rohe moved to close the Public Hearing for Budget Summary and to Set Final Tax Request at 6:50 p.m.

BACKGROUND: Rohe moved to adopt Resolution 2020-06. A Resolution to adopt the 2020-2021 Fiscal Budget. Following the reading of Resolution 2020-06 Hicken seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Little, Rohe, Kopecky, Schweitzer, Hicken; NAY: None; Motion carried 5-0; Members Absent: None.

BACKGROUND: Rohe moved to adopt Resolution 2020-07, a Resolution to adopt the 2020-2021 Final Tax Request. Following the reading of Resolution 2020-07, Hicken seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Rohe, Schweitzer, Kopecky, Hicken, Little; NAY: None; Motion carried 5-0; Members Absent: None.

BACKGROUND: Rohe moved to adopt Resolution 2020-08, a Resolution Pursuant to NEB.REV.STAT. §77-1601.02, A resolution of the Village of Malcolm, Lancaster County, Nebraska, setting the property tax request, comparing the total assessed value to the prior year, calculating the property tax rate, calculating the increase in total operating budget, and directing the Village Clerk to certify and forward this Ordinance to the Lancaster County Clerk by October 13. Following the reading of Resolution 2020-08, Hicken seconded the motion. The Chairperson called for a roll call vote recorded as follows: Hicken, Little, Schweitzer, Rohe, Kopecky; NAY: None; Motion carried 5-0; Members Absent: None.

BACKGROUND: Rohe made a motion to transfer \$24,000.00 from the General Fund to the Street Fund to match Highway Allocation funds, Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

The regularly scheduled meeting opened at 7:00 p.m.

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Robin Stephens, Jack Tarr, Mr. & Mrs. King; Shelby Sidel, Judi Jirvosky, Mike Murray

APPROVAL OF MINUTES: Rohe made a motion to accept the minutes of the August 5, 2020 meeting, seconded by Little. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

TREASURER REPORT – Rohe made a motion to accept the treasurer's report for the month of August 2020, with disbursements of \$55,570.48 and deposits of \$64,621.18. Motion seconded by Schweitzer. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

VILLAGE MAINTENANCE REPORT: A report was submitted and received by the Board.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

BACKGROUND: ZITO Media Agreement: The Attorney has been in contact with ZITO and is hoping to have a contract here soon. Also, working with ZITO to get service to the northwest part of town.

BACKGROUND: Creek erosion at the ball field: Core of Engineers requested additional information, tabled until next month.

BACKGROUND: Sidewalk at big park: this item will be tabled to research other ways to get to the playground if the bridge would need to be replaced.

Rohe made a motion to take a 10-minute break at 7:58 p.m. Schweitzer seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer Little; NAY: None; Motion carried 5-0; Members absent: None.

Board went back into session at 8:05 p.m.

Rohe opened the Public hearing at 8:05 p.m. for the Rezoning of 126 E. 2<sup>nd</sup> Street; 266 S. Exeter Street; 275 S. Exeter Street from commercial to residential. There were no comments or concerns from the Board or visitors, Rohe closed the Public Hearing at 8:07 p.m.

BACKGROUND: Recycling Center: It was a hard decision, but the Village Board has opted to close the recycling center on or around the 1<sup>st</sup> of October depending on when Lincoln can come out for the final dumping of the containers.

BACKGROUND: SENDD – Membership: Rohe made a motion to become a member of Southeast Nebraska Development District (SEND) with yearly membership dues of \$325.00 and \$115.00 for the housing portion. Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Resolution 2020-09: Kopecky made a motion to approve Resolution 2020-09, a Resolution for the Municipal Annual Certification of Program Compliance Form for the One- and Six-Year Street Plan. Schweitzer seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE: Hicken, Kopecky, Rohe, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None

BACKGROUND: Street Superintendent: Rohe made a motion to approve the Annual Certification of program Compliance to NE Board of Public Roads Classification and Standards – Street Superintendent. Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer Little; NAY: None; Motion carried 5-0; Members absent: None

BACKGROUND: Resolution 2020-10: Rohe made a motion to approve Resolution 2020-10, a Resolution to apply for a grant from the Land and Water Conservation Fund Program for lighting at the baseball field. Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Resolution 2020-11: Rohe made a motion to approve Resolution 2020-11, a Resolution on acquisition or development for outdoor recreation, that goes along with Resolution 2020-10. Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer Little; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Nebraska Rural Water Association – (NRWA) – Membership: Rohe made a motion to renew the membership with NE Rural Water Association for 2020-2021, Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Kopecky, Schweitzer Little; NAY: Hicken None; Motion carried 4-1; Members absent: None

BACKGROUND: Land O' Lakes grant – Ball field: Hicken made a motion to allow Dorchester Farmers Co-op and Land O'Lakes to use the Villages Federal ID Number for a grant, for the Malcolm Fire and Rescue to purchase Gas monitors. Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer Little; NAY: None; Motion carried 5-0; Members absent: None.

The grant was awarded to the Malcolm Fire Department and the check for \$1,500.00 was sent to the Village, which in turn was deposited into the Village account and a check for \$1,500.00 from the Village Account was given to the Fire Department.

BACKGROUND: Yurt Glamping: Terry & Lisa Cadwallader is interested in setting up an Airbnb in Malcolm. Board would like to do further research; this item will be tabled until the October meeting.

Planning Commission - Recommendation 343 – Administrative Plat and variance to divide existing property at 266 & 276 S. Exeter Street; After further review, Rohe made a motion to approve the variance and administrative plat for the division of the property on South Exeter Street. Hicken seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None.

Planning Commission - Recommendation 344 –Rezoning: Rohe made a motion to approve the rezoning of 126 East 2<sup>nd</sup> Street from commercial to residential. Kopecky seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Planning Commission - Recommendation 345 –Rezoning: Rohe made a motion to approve the rezoning of 266 South Exeter from commercial to residential. Kopecky seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Planning Commission - Recommendation 346 –Rezoning: Rohe made a motion to approve the rezoning of 276 South Exeter Street from commercial to residential. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Planning Commission - Recommendation 347 –Rezoning: Rohe made a motion to approve the rezoning of 275 South Exeter from commercial to residential. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Planning Commission - Recommendation 348 – Use Permit: Rohe made a motion to approve the Use Permit for Lincoln Underground Sprinkler System located at the corner of 4<sup>th</sup> Street and South Exeter Street. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Planning Commission - Recommendation 349 – Building Permit; After further review of the plans and application, Kopecky made a motion to approve the building permit to replace the existing deck at 380 Elk Creek Road. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Kopecky suspended the three-reading rule for Ordinance 2020-06, Little seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Ordinance 2020-06: Rohe made a motion to approve Ordinance 2020-06, an Ordinance of the Village of Malcolm, Lancaster County, Nebraska, to approve the change of zone of certain real property within the zoning jurisdiction of the Village of Malcolm from commercial to R-1 Medium-Density Residential; to make findings; to amend the zoning map of the Village of Malcolm accordingly; to repeal any conflicting ordinances; and to provide for an effective date. Little seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None.

Board agreed to buy two flexible post crosswalk system signs for the school crosswalks on Education Drive for \$294.95 a piece through Global Industrial.

With no further business to discuss, Rohe moved to adjourn at 9:20 p.m. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

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Nadine Link, Village Clerk